

ORIGINAL

WALSTON CROSS, ATTORNEYS
222 Columbus Avenue, Suite 420
San Francisco, California 94123
Telephone: (415) 956-9200
Facsimile: (415) 956-9205

Gregory S. Walston, State Bar No. 196776
Orestes Alexander Cross, State Bar No. 250471
WALSTON CROSS
222 Columbus Avenue, Suite 420
San Francisco, California 94133
Telephone: (415) 956-9200
Facsimile: (415) 956-9205
Email: gwalston@walstonlaw.com

ATTORNEYS FOR PLAINTIFF
MARKHAM ROBINSON

FILED

AUG 13 2008

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

RECEIVED

AUG 13 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARKHAM ROBINSON,

Plaintiff

v.

SECRETARY OF STATE DEBRA
BOWEN, et al.

Defendants.

Case No. CV-08-3836 JL

**DECLARATION OF GREGORY S.
WALSTON IN SUPPORT OF
PLAINTIFF'S MOTION FOR A
PRELIMINARY INJUNCTION**

I, Gregory S. Walston, declare as follows:

1. I am an attorney licensed to practice before all California state courts, the United States District Courts for the Northern and Eastern Districts of California, the United States Court of Appeals for the Ninth Circuit, and the Supreme Court of the United States. I am presently employed as a partner in the Law Firm of Walston Cross, and, in that capacity, I represent the plaintiff in this action.

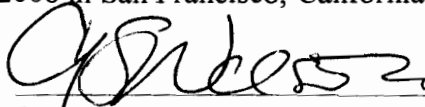
2. According to the California Secretary of State's website, the American Independent Party is one of six political parties recognized the Secretary a "qualified political party."

3. The aforementioned website can be found at the following internet address:
http://www.sos.ca.gov/elections/elections_f.htm.

1 4. The five other "qualified" parties recognized by the Secretary are the Democratic
2 Party, the Green Party, the Libertarian Party, the Peace and Freedom Party, and the Republican
3 Party.

4 5. Further, particular sections of the California Elections Code apply to the American
5 Independent Party specifically. See, Cal. Elections Code §§ 6500 *et seq.*, 7500 *et seq.*

6 I declare under penalty of perjury that the foregoing is true and correct and based on my
7 personal knowledge. Executed August 12, 2008 in San Francisco, California.

8 

9 Gregory S. Walston

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WALSTON CROSS, ATTORNEYS
222 Columbus Avenue, Suite 420
San Francisco, California 94123
Telephone: (415) 956-9200
Facsimile: (415) 956-9205